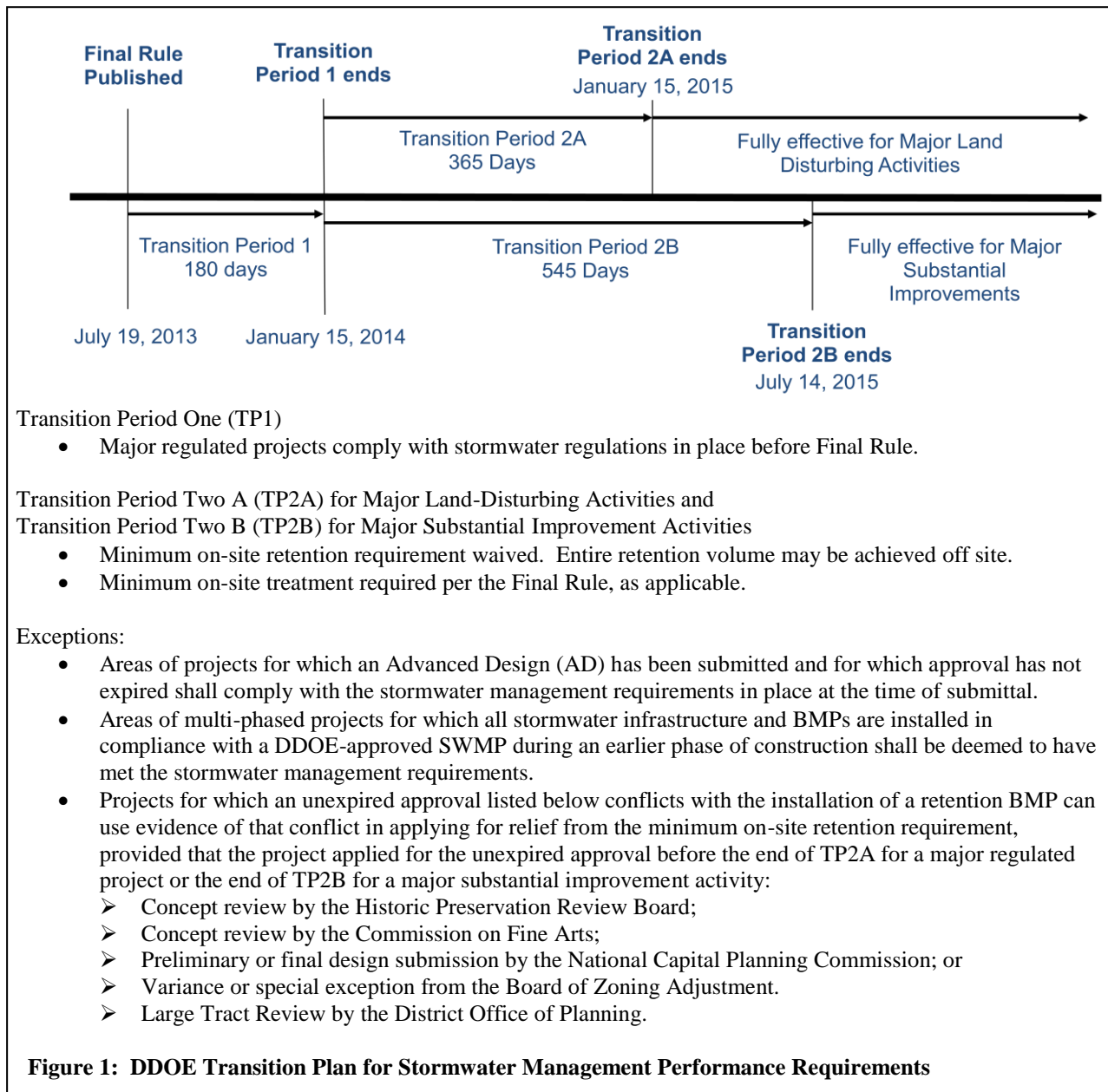




Summary of Transition Plan for Stormwater Management Performance Requirements



For the convenience of the public, Section 552 of the Final Rule is excerpted and included below, along with definitions of the transition periods from Section 599. Please note the official regulations are as posted in the DCMR.

552 TRANSITION

552.1 Sections 500 through 545, 546, 547, and 599 of this chapter shall be enforced immediately upon publication as final, except as described below.

552.2 The Department shall enforce a transition to the stormwater management performance requirements in §§ 520 through 522, as follows:

- (a) A major regulated project submitting a complete Stormwater Management Plan (SWMP), as required under § 518.4, in support of a building permit application before the end of Transition Period One (TP1), shall:
 - (1) Be exempt from the requirements of §§ 520 through 522;
 - (2) Comply with the preceding stormwater management requirements for water quality treatment and detention, in 21 DCMR §§ 529-30 (as published at 35 DCR 21 (January 1, 1988)), as amended and effective through June 30, 2013; and
 - (3) Have the right to generate each applicable Stormwater Retention Credit for each gallon of eligible retention capacity in excess of the water quality treatment requirements in subparagraph (2).
- (b) A major land-disturbing activity submitting a complete SWMP, as required under § 518.4, in support of a building permit application after TP1 and before the end of Transition Period Two A (TP2A) and a major substantial improvement activity submitting a complete SWMP, as required under § 518.4, in support of a building permit application after TP1 and before the end of Transition Period Two B (TP2B) shall comply with this chapter, except that:
 - (1) The requirement in § 520 to achieve a minimum of fifty percent (50%) of the 1.2 inch Stormwater Retention Volume (SWRv) on site shall be waived; and
 - (2) The entire SWRv may be achieved off-site, in accordance with § 527.
- (c) A major regulated project submitting a complete SWMP, as required under § 518.4, in support of a building permit application, for an area that was described explicitly in an Advanced Design (AD) and for which the approval of the AD reviewing body has not expired, shall comply with:

- (1) Paragraph (a) of this subsection, if the AD was submitted before the end of TP1; and
- (2) Paragraph (b) of this subsection, if the AD was submitted after TP1 and before the end of TP2A, for a major land-disturbing activity or before the end of TP2B, for a major substantial improvement activity.
- (d) An area of a multi-phased major land-disturbing activity for which each stormwater infrastructure and best management practice required in a Department-approved SWMP was installed during a preceding phase of construction shall be deemed to have achieved compliance with the stormwater management requirements of this chapter and shall not be required to submit a separate SWMP to support a building permit application.

552.3 A major regulated project shall comply with the stormwater management requirements of §§ 552.1 and 552.2 that are enforced at the time it submits a complete SWMP, as required under § 518.4, if:

- (a) The project must re-apply for a building permit because the preceding permit has expired under 12A DCMR § 105.5 or the permit application had been abandoned under 12A DCMR § 105.3.2; or
- (b) The project applies for a building permit after the approving body's approval of an AD has expired.

552.4 This section shall be narrowly construed, and nothing in this section shall be interpreted to otherwise affect the enforcement of the other requirements and procedures in this chapter.

Transition Period One (TP1) – The one hundred and eighty (180) day period of time starting upon publication of the notice of adoption as final in the *D.C. Register* of the stormwater retention rulemaking. TP1 ends at the close of business on January 15, 2014.

Transition Period Two A (TP2A) – For a major land-disturbing activity, the three hundred and sixty-five (365) day period of time starting at the completion of Transition Period One. TP2A ends at the close of business on January 15, 2015.

Transition Period Two B (TP2B) – For a major substantial improvement activity, the five hundred and forty-five (545) day period of time starting at the completion of Transition Period One. TP2B ends at the close of business on July 14, 2015.